

COUNTY OF MERCER, NEW JERSEY
ORDINANCE NO. 2014- 1

1st Reading.....January 23, 2014

Date to County Executive.....February 13, 2014

2nd Reading.....February 11, 2014
Public Hearing.....February 11, 2014

Date Returned.....February 18, 2014

Date Adopted:

Date Resubmitted to Board.....

February 11, 2014

Approved as to Form and Legality

.....

March 3, 2014

James A. Cawley
.....
County Counsel

Effective Date

AN ORDINANCE AMENDING ORDINANCE NO. 81-6,
ADOPTED MARCH 10, 1981, MERCER COUNTY
ORDINANCE- SPEED LIMITS ALONG PROVINCE LINE
ROAD (CR 569) BETWEEN THE DELAWARE AND
RARITAN CANAL AND QUAKERBRIDGE ROAD (CR
533), TOWNSHIP OF LAWRENCE, COUNTY OF MERCER
(AMENDMENT NO.1)

WHEREAS, the County of Mercer adopted Ordinance No. 81-6, establishing speed limits on Province Line Road, Whitehorse-Mercerville Road, Hamilton Township, Lawrence Township and West Windsor Township; and,

RECORD OF VOTE													
First Reading							Second Reading						
FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.	FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.
Cannon	X						Cannon	X					
Carabelli	X					✓	Carabelli	X				✓	
Cimino	X						Cimino	X					
Colavita	X				✓		Colavita	X					
Frisby				X			Frisby	X					✓
Walter	X						Walter	X					
Koontz	X						Koontz	X					

X—Indicates Vote Abs.—Absent N.V.—Not Voting
Res.—Resolution Moved Sec.—Resolution Seconded

Rejected ☐ By.....*Bin M. Hyl*.....
Approved ☒ County Executive

Reconsidered ☐ Override ☐ ☐
By Board.....
Vote Aye Nay

Andrew Kooy.....*James V. Werthy*.....
Chair of the Board Clerk to the Board

ORDINANCE NO. 2014-1

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WHEREAS, an Amendment No.1 to said Ordinance is now required to reduce the speed limits to 35 M.P.H.; and,

WHEREAS, the Board of Chosen Freeholders of the County of Mercer, State of New Jersey, does hereby ordain as follows:

1. The speed limits for both directions of traffic along Province Line Road (CR 569) between the Delaware and Raritan Canal and Quakerbridge Road (CR 533) Township of Lawrence, County of Mercer, are to be amended, as follows:

Zone 1: 35 M.P.H. along Province Line Road (CR 569) between the Delaware and Raritan Canal and Quakerbridge Road (CR 533);

and,

WHEREAS, this Ordinance shall take effect upon approval by the Mercer County Board of Chosen Freeholders; now, therefore,

BE IT ORDAINED, that regulatory and warning signs shall be erected and maintained to effect the above designated speed limits in accordance with the Manual on Uniform Traffic Control Devices; and,

BE IT FURTHER RESOLVED, that the Clerk to the Board shall forward three (3) certified copies of said Ordinance to the Office of the County Engineer for submission to the Lawrence Township Municipal Clerk, and a copy to the Director of the Mercer County Department of Transportation and Infrastructure.

COUNTY OF MERCER, NEW JERSEY
ORDINANCE NO. 2014- 2

1st Reading.....February 11, 2014
2nd Reading.....February 27, 2014
Public Hearing.....February 27, 2014

Date to County Executive.....February 28, 2014
Date Returned.....

Date Adopted:
February 27, 2014

Date Resubmitted to Board.....

Approved as to Form and Legality

.....
March 18, 2014

.....
County Counsel

Effective Date

BOND ORDINANCE AUTHORIZING THE COMPLETION
OF VARIOUS CAPITAL IMPROVEMENTS AND THE
ACQUISITION AND INSTALLATION OF VARIOUS PIECES
OF EQUIPMENT IN AND FOR THE COUNTY OF MERCER,
NEW JERSEY; APPROPRIATING THE SUM OF \$6,252,994
THEREFOR; AUTHORIZING THE ISSUANCE OF
GENERAL OBLIGATION BONDS OR BOND
ANTICIPATION NOTES OF THE COUNTY OF MERCER,
NEW JERSEY IN THE AGGREGATE PRINCIPAL
AMOUNT OF UP TO \$5,940,345; MAKING CERTAIN
DETERMINATIONS AND COVENANTS; AND
AUTHORIZING CERTAIN RELATED ACTIONS IN
CONNECTION WITH THE FOREGOING

RECORD OF VOTE													
First Reading							Second Reading						
FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.	FREEHOLDER	Aye	Nay	N.V.	Abs.	Res.	Sec.
Cannon	X				✓		Cannon	X					
Carabelli	X						Carabelli	X					
Cimino	X					✓	Cimino	X					
Colavita	X						Colavita	X				✓	
Frisby	X						Frisby	X					✓
Walter	X						Walter	X					
Koontz	X						Koontz	X					
X—Indicates Vote Abs.—Absent N.V.—Not Voting													
Res.—Resolution Moved Sec.—Resolution Seconded													

Rejected ☐ By.....
Approved ☒ By.....
Reconsidered ☐
By Board.....
Chair of the Board
County Executive
Override ☐ ☐
Vote Aye Nay
Clerk to the Board

ORDINANCE NO. 2014-2

BE IT ORDAINED by the Board of Chosen Freeholders of the County of Mercer, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the County of Mercer, New Jersey ("County").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the County from all sources for the purposes stated in Section 7 hereof is \$6,252,994;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$5,940,345; and
- (c) a down payment in the amount of \$312,649 for a portion of the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

Section 3. The sum of \$5,940,345, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$312,649, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the County in an amount not to exceed \$5,940,345 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the County in an amount not to exceed \$5,940,345 is hereby authorized. Pursuant to the Local Bond Law, the County Treasurer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The County Treasurer is hereby directed to report in writing to the Board of Chosen Freeholders at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$1,250,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the

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period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Grants and Other Funds</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Renovations to Facilities for the Department of Administration, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$309,000	\$15,450	\$0	\$293,550	15 years
B.	Acquisition of Various Equipment for the County's Park Commission, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	775,590	38,779	0	736,811	5 years
C.	Renovations to Various Facilities for the County's Park Commission, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the plans and specifications on file with the County Park Commission	1,194,800	59,740	0	1,135,060	15 years
D.	Acquisition of a Backup Generator for the County's Park Commission, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	30,900	1,545	0	29,355	10 years
E.	Improvements to the Irrigation Systems for the County's Parks Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	360,500	18,025	0	342,475	10 years
F.	Acquisition Office Equipment and Furnishings for County Prosecutor's Office, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	18,540	927	0	17,613	5 years

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	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Grants and Other Funds</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
G.	Improvements and Repairs to Various County Roads, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the plans and specifications on file with the County Department of Transportation and Infrastructure	\$2,430,149	\$121,507	\$0	\$2,308,642	10 years
H.	Construction of a storage warehouse for the County Department of Corrections, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	572,165	28,608	0	543,557	15 years
I.	Grounds Improvements to the County Court House, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	46,350	2,318	0	44,033	5 years
J.	Renovation and Rehabilitation of the County Airport Passenger Facilities, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	515,000	25,750	0	489,250	10 years
TOTALS		<u>\$6,252,994</u>	<u>\$312,649</u>	<u>\$0</u>	<u>\$5,940,345</u>	

Section 8. Grants or other monies received from any governmental entity, in addition to those identified in Section 7 above, if any, will be applied to the payment of, or repayment of, obligations issued to finance the costs of the purposes described in Section 7 above.

Section 9. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes is not less than 10.98 years.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk of the Board of Chosen Freeholders prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the County, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$5,940,345 and that

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the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the County are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the County shall levy *ad valorem* taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk of the Board of Chosen Freeholders and available for inspection.

Section 13. The City hereby declares its intent to reimburse itself from the proceed of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code") for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 14. The County hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes is exempt from the gross income of the owners thereof for federal income taxation purposed, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such terms is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Ogden, Utah Service Center of the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the County may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

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Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.